

CAP

AO 240. (1/94)

United States District Court

DISTRICT OF

THOMAS MACLEOD,
Plaintiff/Petitioner,

**APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT**

V.

DAVID NOLAN,
Defendant / Respondent.

CASE NUMBER: 04-11629-PBS

CAP

I, Thomas MacLeod declare that I am the (check appropriate box)

☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC. §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?: ☒ Yes ☐ No (If "No" go to Part 2)
If "Yes" state the place of your incarceration Old Colony Correctional Center, Bridgewater

Are you employed at the institution? Yes Do you receive any payment from the institution? Yes

Have the institution fill out the Certificate portion of this affidavit and attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☒ Yes ☐ No
a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.
I make \$1.50 per day, (times) 5 days a week
b. if the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|------------------------------|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

AO 240 (1-1-01)

4. Do you have any cash or checking or savings accounts? ☐ Yes ☒ No

If "Yes" state the total amount. _____

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? ☐ Yes ☒ No

If "Yes" describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

none

I declare under penalty of perjury that the above information is true and correct.

September 18, 2007

DATE

Thomas MacLeod

SIGNATURE OF APPLICANT

CERTIFICATE

(Incarcerated applicants only)
(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 0 on account to his/her credit at (name of institution) Old Colony Minimum Unit. I further certify that the applicant has the following securities to his/her credit: 0. I further certify that during the past six months the applicant's average balance was \$ APPROXIMATELY \$5.00.

9/18/07

DATE

William Martin CPO D

SIGNATURE OF AUTHORIZED OFFICER

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20070919 09:48

Page 1

Commit# :	W50485	OLD COLONY CORRECTIONAL CENTER	
Name :	MACLEOD, THOMAS, A.	Statement From	20070301
Inst :	OLD COLONY CORRECTIONAL CENTER	To	20070919
Block :	MINIMUM A		
Cell/Bed :	A-5/5		

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$7,349.42	\$7,349.42	\$1,662.17	\$1,357.35
20070309 23 15	TI - Transfer from Institution	8359126		CJ		\$0 00	\$0 00	\$0 00	\$304.82
20070309 23 15	TI - Transfer from Institution	8359127		OCC		\$0 00	\$0 00	\$304.82	\$0 00
20070314 16 41	IS - Interest	8379031		OCC		\$0 00	\$0 00	\$1 73	\$0 00
20070404 21 12	PY - Payroll	8504248		OCC	-20070318 To 20070324	\$3 75	\$0 00	\$0 00	\$0 00
20070404 21 12	PY - Payroll	8504249		OCC	-20070318 To 20070324	\$0 00	\$0 00	\$3 75	\$0 00
20070410 09 53	IC - Transfer from Inmate to Club A/c	8535004		OCC	-HAIRCUT REVENUE - Z3-HAIRCUT REVENUE - Z3	\$0 00	\$1 50	\$0 00	\$0 00
20070411 21 13	PY - Payroll	8544927		OCC	-20070325 To 20070331	\$3 75	\$0 00	\$0 00	\$0 00
20070411 21 13	PY - Payroll	8544928		OCC	-20070325 To 20070331	\$0 00	\$0 00	\$3 75	\$0 00
20070418 21 13	PY - Payroll	8580017		OCC	-20070401 To 20070407	\$3 75	\$0 00	\$0 00	\$0 00
20070418 21 13	PY - Payroll	8580018		OCC	-20070401 To 20070407	\$0 00	\$0 00	\$3 75	\$0 00
20070419 15 46	IS - Interest	8594055		OCC		\$0 00	\$0 00	\$1 96	\$0 00
20070419 22 30	CN - Canteen	8608844		OCC	-Canteen Date : 20070419	\$0 00	\$9.25	\$0 00	\$0 00
20070425 21 13	PY - Payroll	8630683		OCC	-20070408 To 20070414	\$3 75	\$0 00	\$0 00	\$0 00
20070425 21 13	PY - Payroll	8630684		OCC	-20070408 To 20070414	\$0 00	\$0 00	\$3 75	\$0 00
20070426 22 30	CN - Canteen	8643130		OCC	-Canteen Date : 20070426	\$0 00	\$1 05	\$0 00	\$0 00
20070502 21 10	PY - Payroll	8668248		OCC	-20070415 To 20070421	\$3 75	\$0 00	\$0 00	\$0 00
20070502 21 10	PY - Payroll	8668249		OCC	-20070415 To 20070421	\$0 00	\$0 00	\$3 75	\$0 00
20070503 10 41	IC - Transfer from Inmate to Club A/c	8678969		OCC	-SICK CALL 4/19/07-MEDICAL CO-PAYMENT - Z4-MEDICAL CO-PAYMENT - Z4	\$0 00	\$3 00	\$0 00	\$0 00
20070509 15 53	IS - Interest	8710479		OCC		\$0 02	\$0 00	\$0 00	\$0 00
20070509 15 53	IS - Interest	8710480		OCC		\$0 00	\$0 00	\$1 94	\$0 00
20070509 21 12	PY - Payroll	8726033		OCC	-20070422 To 20070428	\$3 75	\$0 00	\$0 00	\$0 00
20070509 21 12	PY - Payroll	8726034		OCC	-20070422 To 20070428	\$0 00	\$0 00	\$3 75	\$0 00
20070510 22 30	CN - Canteen	8739336		OCC	-Canteen Date : 20070510	\$0 00	\$4 71	\$0 00	\$0 00
20070516 21 08	PY - Payroll	8762861		OCC	-20070429 To 20070505	\$3 75	\$0 00	\$0 00	\$0 00
20070516 21 08	PY - Payroll	8762862		OCC	-20070429 To 20070505	\$0 00	\$0 00	\$3 75	\$0 00
20070523 21 10	PY - Payroll	8797694		OCC	-20070506 To 20070512	\$3 75	\$0 00	\$0 00	\$0 00
20070523 21 10	PY - Payroll	8797695		OCC	-20070506 To 20070512	\$0 00	\$0 00	\$3 75	\$0 00
20070524 22 30	CN - Canteen	8809902		OCC	-Canteen Date : 20070524	\$0 00	\$7 28	\$0 00	\$0 00
20070530 21 08	PY - Payroll	8828909		OCC	-20070513 To 20070519	\$3 75	\$0 00	\$0 00	\$0 00

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20070919 09:48

Commit# : W56485

OLD COLONY CORRECTIONAL CENTER

Page 2

Name : MACLEOD, THOMAS, A

Statement From 20070301

Inst : OLD COLONY CORRECTIONAL CENTER

To 20070919

Block : MINIMUM A

Cell/Bed : A-5 /5

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20070530 21:08	PY - Payroll	8828910		OCC	~20070513 To 20070519	\$0.00	\$0.00	\$3.75	\$0.00
20070606 21:13	PY - Payroll	8869941		OCC	~20070520 To 20070526	\$3.75	\$0.00	\$0.00	\$0.00
20070606 21:13	PY - Payroll	8869942		OCC	~20070520 To 20070526	\$0.00	\$0.00	\$3.75	\$0.00
20070607 22:30	CN - Canteen	8884261		OCC	~Canteen Date 20070607	\$0.00	\$7.21	\$0.00	\$0.00
20070612 11:05	IC - Transfer from Inmate to Club A/c	8900672		OCC	~SICK CALL 3/29/07-MEDICAL CO-PAYMENT - Z4-MEDICAL CO-PAYMENT - Z4	\$0.00	\$3.00	\$0.00	\$0.00
20070613 21:08	PY - Payroll	8909547		OCC	~20070527 To 20070602	\$3.75	\$0.00	\$0.00	\$0.00
20070613 21:08	PY - Payroll	8909548		OCC	~20070527 To 20070602	\$0.00	\$0.00	\$3.75	\$0.00
20070614 15:57	IS - Interest	8924970		OCC		\$0.01	\$0.00	\$0.00	\$0.00
20070614 15:57	IS - Interest	8924971		OCC		\$0.00	\$0.00	\$1.35	\$0.00
20070620 21:16	PY - Payroll	8962647		OCC	~20070603 To 20070609	\$3.75	\$0.00	\$0.00	\$0.00
20070620 21:16	PY - Payroll	8962648		OCC	~20070603 To 20070609	\$0.00	\$0.00	\$3.75	\$0.00
20070621 22:30	CN - Canteen	8975356		OCC	~Canteen Date 20070621	\$0.00	\$7.78	\$0.00	\$0.00
20070627 21:24	PY - Payroll	8996309		OCC	~20070610 To 20070616	\$3.75	\$0.00	\$0.00	\$0.00
20070627 21:24	PY - Payroll	8996310		OCC	~20070610 To 20070616	\$0.00	\$0.00	\$3.75	\$0.00
20070628 22:30	CN - Canteen	9008537		OCC	~Canteen Date 20070628	\$0.00	\$2.92	\$0.00	\$0.00
20070704 21:10	PY - Payroll	9032535		OCC	~20070617 To 20070623	\$3.75	\$0.00	\$0.00	\$0.00
20070704 21:11	PY - Payroll	9032536		OCC	~20070617 To 20070623	\$0.00	\$0.00	\$3.75	\$0.00
20070711 15:33	IS - Interest	9076942		OCC		\$0.01	\$0.00	\$0.00	\$0.00
20070711 15:53	IS - Interest	9076943		OCC		\$0.00	\$0.00	\$1.23	\$0.00
20070711 21:10	PY - Payroll	9092390		OCC	~20070624 To 20070630	\$3.75	\$0.00	\$0.00	\$0.00
20070711 21:10	PY - Payroll	9092391		OCC	~20070624 To 20070630	\$0.00	\$0.00	\$3.75	\$0.00
20070712 22:30	CN - Canteen	9105625		OCC	~Canteen Date 20070712	\$0.00	\$7.52	\$0.00	\$0.00
20070718 21:11	PY - Payroll	9128350		OCC	~20070701 To 20070707	\$3.75	\$0.00	\$0.00	\$0.00
20070718 21:11	PY - Payroll	9128351		OCC	~20070701 To 20070707	\$0.00	\$0.00	\$3.75	\$0.00
20070719 22:30	CN - Canteen	9141149		OCC	~Canteen Date 20070719	\$0.00	\$4.15	\$0.00	\$0.00
20070720 09:26	CI - Transfer from Club to Inmate A/c	9143855		OCC	~REFUND FOR COPAY CHARGE 4/19/07-W56485 MACLEOD, THOMAS A PERSONAL-MEDICAL CO-PAYMENT - Z4	\$3.00	\$0.00	\$0.00	\$0.00
20070720 09:26	TI - Transfer from Institution	9143856		STH	~Associate Receipt Number is 9143855	\$0.00	\$3.00	\$0.00	\$0.00
20070720 09:26	TI - Transfer from Institution	9143857		OCC	~Associate Receipt Number is 9143855	\$3.00	\$0.00	\$0.00	\$0.00
20070725 21:13	PY - Payroll	9162275		OCC	~20070708 To 20070714	\$3.75	\$0.00	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20070919 09:48

Page 3

Commit# :	W56485	OLD COLONY CORRECTIONAL CENTER	
Name :	MACLEOD, THOMAS, A.	Statement From	20070301
Inst :	OLD COLONY CORRECTIONAL CENTER	To	20070919
Block :	MINIMUM A		
Cell/Bed :	A-5 /5		

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20070725 21 13	PY - Payroll	9162276		OCC	~20070708 To 20070714	\$0 00	\$0 00	\$3 75	\$0 00
20070731 09 55	IC - Transfer from Inmate to Club A/c	9187263		OCC	~DEBIT CARD-CANTEEN CORP WASH ACCOUNT - Z6-CANTEEN CORP WASH ACCOUNT - Z6	\$0 00	\$5 00	\$0 00	\$0 00
20070801 21 15	PY - Payroll	9197087		OCC	~20070715 To 20070721	\$3 75	\$0 00	\$0 00	\$0 00
20070801 21 15	PY - Payroll	9197088		OCC	~20070715 To 20070721	\$0 00	\$0 00	\$3 75	\$0 00
20070806 16 51	IS - Interest	9226254		OCC		\$0 01	\$0 00	\$0 00	\$0 00
20070806 16 51	IS - Interest	9226260		OCC		\$0 00	\$0 00	\$1 70	\$0 00
20070808 21 12	PY - Payroll	9255573		OCC	~20070722 To 20070728	\$3 75	\$0 00	\$0 00	\$0 00
20070808 21 12	PY - Payroll	9255574		OCC	~20070722 To 20070728	\$0 00	\$0 00	\$3 75	\$0 00
20070814 11 49	AT - Account Transfer	9283925		OCC	~TO PAY INITIAL FILING FEE FOR 06-2328/03-11483-W56485 MACLEOD, THOMAS A PERSONAL	\$39 86	\$0 00	\$0 00	\$39 86
20070814 11 52	EX - External Disbursement	9283937	120179	OCC	~INITIAL FILING FEE FOR CA 03-11483 / 062328-U S DISTRICT COURT	\$0 00	\$39 86	\$0 00	\$0 00
20070814 11 52	MA - Maintenance and Administration	9283939		OCC	~Monthly Maintenance and Administration Fee	\$0 00	\$1 00	\$0 00	\$0 00
20070815 21 09	PY - Payroll	9292902		OCC	~20070729 To 20070804	\$3 75	\$0 00	\$0 00	\$0 00
20070815 21 09	PY - Payroll	9292903		OCC	~20070729 To 20070804	\$0 00	\$0 00	\$3 75	\$0 00
20070821 09 15	IC - Transfer from Inmate to Club A/c	9318736		OCC	~DEBIT CARD-CANTEEN CORP. WASH ACCOUNT - Z6-CANTEEN CORP WASH ACCOUNT - Z6	\$0 00	\$5 00	\$0 00	\$0 00
20070821 09 27	IC - Transfer from Inmate to Club A/c	9318794		OCC	~HAIRCUT REVENUE - Z3-HAIRCUT REVENUE - Z3	\$0 00	\$1 50	\$0 00	\$0 00
20070822 21 11	PY - Payroll	9327252		OCC	~20070805 To 20070811	\$3 75	\$0 00	\$0 00	\$0 00
20070822 21 11	PY - Payroll	9327253		OCC	~20070805 To 20070811	\$0 00	\$0 00	\$3 75	\$0 00
20070823 22 30	CN - Canteen	9339294		OCC	~Canteen Date 20070823	\$0 00	\$8.57	\$0 00	\$0 00
20070827 09 47	AT - Account Transfer	9346676		OCC	~PARTIAL FILING FEE FOR DOCKET # 2007-J-0370-W56485 MACLEOD, THOMAS A PERSONAL	\$75.00	\$0 00	\$0 00	\$75 00
20070827 09 51	EX - External Disbursement	9346766	120474	OCC	~INITIAL FILING FEE FOR DOCKET# 2007-J-0370-APPEALS COURT	\$0 00	\$75.00	\$0 00	\$0 00
20070829 21 13	PY - Payroll	9360517		OCC	~20070812 To 20070818	\$3 75	\$0 00	\$0 00	\$0 00
20070829 21 13	PY - Payroll	9360518		OCC	~20070812 To 20070818	\$0 00	\$0 00	\$3 75	\$0 00
20070905 21 09	PY - Payroll	9397913		OCC	~20070819 To 20070825	\$3 75	\$0 00	\$0 00	\$0 00
20070905 21 09	PY - Payroll	9397914		OCC	~20070819 To 20070825	\$0 00	\$0 00	\$3 75	\$0 00
20070906 10 17	EX - External Disbursement	9408347	120736	OCC	~20% OF AUGUST INCOME FOR CA#03-11483-U S DISTRICT COURT	\$0 00	\$3 75	\$0 00	\$0 00
20070906 10 17	MA - Maintenance and Administration	9408349		OCC	~Monthly Maintenance and Administration Fee	\$0 00	\$1 00	\$0 00	\$0 00
20070906 16 57	IS - Interest	9413807		OCC		\$0 03	\$0 00	\$0 00	\$0 00

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20070919 09:18

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Commit : W56485

OLD COLONY CORRECTIONAL CENTER

Name : MACLEOD, THOMAS, A.

Statement From 20070301

Inst : OLD COLONY CORRECTIONAL CENTER

To 20070919

Block : MINIMUM A

Cell/Bed : A-5 /5

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20070906 16 37	IS - Interest	9413808		OCC		\$0.00	\$0.00	\$1.63	\$0.00
20070906 22 30	CN - Canteen	9429344		OCC	-Canteen Date : 20070906	\$0.00	\$8.52	\$0.00	\$0.00
20070912 21 10	PY - Payroll	9455488		OCC	-20070826 To 20070901	\$3.75	\$0.00	\$0.00	\$0.00
20070912 21 10	PY - Payroll	9455489		OCC	-20070826 To 20070901	\$0.00	\$0.00	\$3.75	\$0.00
						\$210.94	\$211.57	\$406.36	\$419.68

Balance as of ending date : Personal - \$0.63 Savings \$291.50

Current Balances :

<u>Personal</u>	<u>Savings</u>	<u>Freeze</u>	<u>Loan</u>	<u>Restitution</u>	<u>Sentence</u>
- \$0.63	\$291.50	\$0.00	\$0.00	\$0.00	\$0.00

Clerk's Office
First Circuit Court of Appeals
1 Courthouse Way, suite 2500
Boston, MA 02210

September 19, 2007

Re: Thomas MacLeod v. David Nolan
NO. 07-2215


Dear Sir/Madam,

Enclosed kindly find copies of the documents I sent to the Clerk's Office of the District Court on the above date. This is in response to this Office's Order of september 10, 2007.

Please take note of my correct address.

Thank you for your courtesy in this regard.

Sincerely,


Thomas MacLeod, W-56485
OCCC Minimum
1 Administration rd.
Bridgewater, MA
02324

Cc: Clerk's Office US District Court
Susan Reardon, AAG